

Court of Appeals, State of Michigan

ORDER

People of MI v Robert Allen Carruth

Docket No. 257831

LC No. 1999-167197-FH

Pat M. Donofrio
Presiding Judge

Mark J. Cavanagh

Henry William Saad
Judges

Pursuant to MCR 7.205(D)(2), the Court orders that the August 25, 2004 order denying defendant's motion to file a brief in excess of the twenty-page limit set forth in MCR 2.119(A)(2) is REVERSED and this matter is REMANDED for further proceedings not inconsistent with this order. MCR 6.502, governing motions for relief from judgment, specifically sets forth the form of such motions, and the rule includes no limit as to the number of pages of a brief supporting a motion for relief from judgment. Pursuant to MCR 6.001(D)(3), because MCR 6.502(C) specifically addresses the form of motions for relief from judgment, MCR 2.119(A), addressing the form of motions in civil cases, does not apply.

This Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 14 2005

Date

Sandra Schultz Mengel
Chief Clerk